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PTO/SB/21 (09-04)

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

8

Application Number

10/583,750

Filing Date

June 21, 2006

First Named Inventor

Phillips, et al.

Art Unit

Not yet assigned

Examiner Name

Not yet assigned

Attorney Docket Number

45852-P001WOUS

ENCLOSURES (Check all that apply)

- ☐ Fee Transmittal Form
- ☐ Fee Attached
- ☐ Amendment/Reply
 - ☐ After Final
 - ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☒ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Reply to Missing Parts/Incomplete Application
 - ☐ Reply to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation
- ☐ Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) _____
- ☐ Landscape Table on CD

- ☐ After Allowance Communication to TC
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Other Enclosure(s) (please identify below):
 - 1) PTO Form SB/08B
 - 2) Copies of two (2) cited references
 - 3) Return Postcard

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Winstead Secrest & Minick P.C.

Signature

Printed name

Robert A. Voigt, Jr.

Date

November 13, 2006

Reg. No.

47,159

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

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Beatrice Zepeda

Date

November 13, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT

-1-

UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application: Phillips, Justin P. *et al.*

U.S. Serial No.: 10/583,750

U.S. Filing Date: June 21, 2006

International App'l No.: PCT/GB2004/005358

Int'l Filing Date: 21 December 2004

Art Unit: Not Yet Assigned

Examiner: Not Yet Assigned

Title: OPTICAL FIBRE CATHETER PULSE OXIMETER

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Supplemental Information Disclosure Statement is being submitted in connection with the above-identified application for patent. Applicant submits herewith patents, publications or other information of which he is aware, which he believes may be material to the patentability of this application and in respect of which there may be a duty to disclose in accordance with 37 C.F.R. §1.56.

While this Supplemental Information Disclosure Statement may be "material" pursuant to 37 C.F.R. §1.56, it is not intended to constitute an admission that any patent, publication or other information referred to herein is "prior art" for this invention unless specifically designated as such.

Applicant submits herewith this Supplemental Information Disclosure before the mailing of a first Office Action on the merits in accordance with 37 C.F.R. §1.97(b)(3).

In accordance with 37 C.F.R. §1.97(g), the filing of this Supplemental Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. §1.56(a) exists.

The attached form, PTO-1449, provides a listing of patents, publications, or other information as required by 37 C.F.R. §1.98(a)(1).

A copy of each of the items identified on the attached Form PTO-1449 is supplied herewith, except for the U.S. patents and pending patent applications, for which no copies are being submitted.

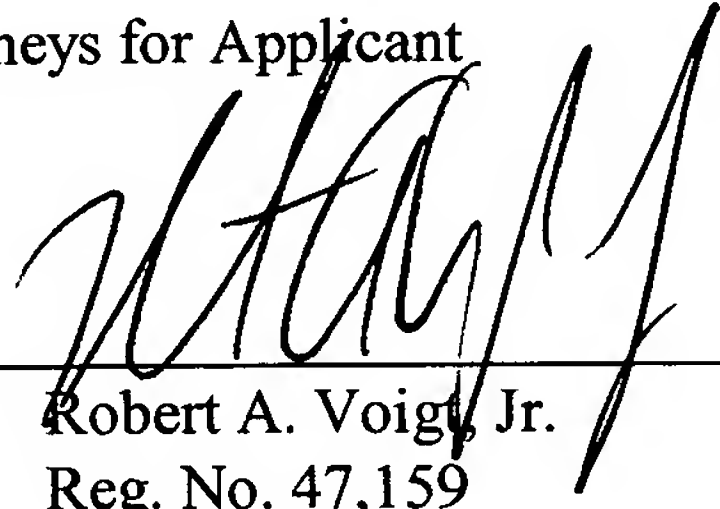
The Director of Patents is hereby authorized to charge any necessary fees to Deposit Account No. 23-2426 of Winstead Sechrest & Minick P.C. (45852-P001WOUS).

Respectfully submitted,

WINSTEAD SECHREST & MINICK P.C.

Attorneys for Applicant

By: _____


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PTO/SB/08B (08-03)

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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	10/583,750
Filing Date	June 21, 2006
First Named Inventor	Justin P. Phillips
Art Unit	Not Yet Assigned
Examiner Name	Not Yet Assigned
Attorney Docket Number	45852-P001WOUS

Sheet 1 of 1

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		GOPINATH, Shankar P., Comparison of Jugular Venous Oxygen Saturation and Brain Tissue Po2 as Monitors of Cerebral Ischemia After Head Injury, Crit Care Med 1999, Vol. 27, No. 11, pp. 2337 - 2345.	
		KYRIACOU, P.A., Evaluation of Oesophageal Pulse Oximetry in Patients Undergoing Cardiothoracic Surgery, Anaesthesia 2003, 58, Blackwell Publishing, Ltd., pp. 422-427.	

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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